

Message Text

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43

ACTION NEA-10

INFO OCT-01 EUR-12 ISO-00 EB-07 CAB-02 CIAE-00 COME-00

DODE-00 DOTE-00 INR-07 NSAE-00 FAA-00 PM-04 H-02 L-03

NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06 SAM-01 SAB-01

IO-10 /090 W

----- 096172

R 041102Z OCT 75

FM USINT BAGHDAD

TO SECSTATE WASHDC 2437

INFO AMEMBASSY BEIRUT

AMEMBASSY BRUSSELS

AMEMBASSY TEHRAN

C O N F I D E N T I A L BAGHDAD 1047

BEIRUT FOR RCAA AND FAA REP

E.O. 11652: GDS

TAGS: OCLR, IZ

SUBJECT: CIVIL AVIATION FLIGHT CLEARANCES

REF: BAGHDAD 917, 971, 985, 1005

1. SUMMARY: AS FORECAST, MFA NOTE OF SEPTEMBER 27 PROTESTS
UNAUTHORIZED SEPTEMBER 2ND OVERFLIGHT OF IRAQ BY U.S.-REGISTERED
AIRCRAFT EN ROUTE TO IRAN. ACTION REQUESTED: WITH EYE TO REGIONAL
AIR TRAFFIC SAFETY, REQUEST INSTRUCTIONS NO LATER THAN OCTOBER
22ND TO INFORM MFA OF USG WILLINGNESS TO SEND RCAA AND/OR FAA
OFFICIAL TO BAGHDAD TO REVIEW INCIDENT WITH DGCA. END SUMMARY.

BEGIN UNCLASSIFIED:

2. AS FORECAST BAGHDAD 971, MINISTRY OF FOREIGN AFFAIRS HAS SENT
DIPLOMATIC NOTE SEPTEMBER 27TH PROTESTING UNAUTHORIZED OVERFLIGHT
OF THREE BEECHCRAFT BONANZAS (NO DATE GIVEN, BUT WAS PRESUMABLY
SEPT. 2ND). FACTS ALLEGED ARE SAME AS GIVEN BAGHDAD 971

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(PARA FIVE) AS PRESENTED TO US SEPT. 17 BY DGCA OFFICERS. ADDED,

HOWEVER, THAT PILOTS, WHEN ORDERED TO LAND AT BAGHDAD, REFUSED, SAYING THEY HAD IN HAND PERMIT TO OVERFLY IRAQI TERRITORY (WHICH WAS OBVIOUSLY UNTRUE). NOTE CONTINUED SAYING THAT PILOTS' ACTION CONSTITUTED VIOLATION OF SOVEREIGNTY OF IRAQI AIR SPACE, VIOLATION OF INTERNATIONAL AND LOCAL CIVIL AVIATION PROCEDURES AND ENDANGERED SAFETY OF AERIAL NAVIGATION. NOTE CONCLUDES: "THE EMBASSY IS REQUESTED TO TAKE NOTE OF THE NECESSITY OF REQUESTING THE NECESSARY PERMISSION, WITHIN A REASONABLE TIME, IN ORDER TO OBTAIN APPROVAL IN SUCH INSTANCES." END UNCLASSIFIED.

BEGIN CONFIDENTIAL:

3. LAST SENTENCE ABOVE IMPLIES THAT PERMISSION MIGHT BE GRANTED--WHICH IS CONTRARY TO INSTRUCTIONS UNDER WHICH DGCA OPERATES (AS REPORTED). USINT BELIEVES THAT THIS REGRETABLE INCIDENT CAN BEAR GOOD FRUIT IF WE CAN PERSUADE MFA TO ACCEPT VISIT FROM RCAA BEIRUT OR FROM FAA REP TO SIT DOWN AS ONE PROFESSIONAL WITH ANOTHER WITH DGCA AND DISCUSS NOT ONLY SEPTEMBER 2ND INCIDENT BUT ALL THE AMBIGUITIES OF CURRENT IRAQI CIVIL AIR POLICY ABOUT OVERFLIGHTS BY US-REGISTERED AIRCRAFT. HAVE ALREADY REPORTED THAT DGCA WOULD WELCOME SUCH VISIT. GIVEN DANGERS TO REGIONAL AIR SAFETY, BELIEVE THIS VISIT SHOULD BE PROPOSED TO MFA ASAP.

4. HAVE STILL RECEIVED NO ANSWER TO MFA'S QUESTION (BAGHDAD 917) WHO IS CONSIGNEE OF OFFENDING AIRCRAFT (IRANIAN GOVT OR OFFENDING PRIVATE PARTIES).

5. ACTION REQUESTED: URGENTLY REPEAT REQUEST MADE BAGHDAD 985 FOR INSTRUCTIONS TO CALL ON MFA TO SEEK CLARIFICATION OF CURRENT POLICY ON OVERFLIGHT RESTRICTION. WOULD LIKE TO BE ABLE TO SEND MFA NOTE NO LATER THAN OCTOBER 22ND PROPOSING RCAA OR FAA VISIT BAGHDAD GIVING NAMES OF PERSONS (RECOMMEND NO MORE THAN TWO) AND PROPOSED DATE OF VISIT). PURPOSE OF VISIT WOULD BE TO DISCUSS SEPTEMBER 2ND VIOLATION AND SEEK CLARIFICATIONS OF GOI POLICY.
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